Supreme Court, U. S.
F I L E D
APR 19 1976
MICHAEL RODAK, JR., CLERK

NO. 75-1429

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1975

JANICE CHING YEE, PETITIONER PRO SE

vs.

ALFRED ALPHONSE YEE and/or ALFRED A. YEE & ASSOCIATES, HSC*, NO. 6102,
STEPHANIE KOKERNAK, HSC*, NO. 5943,
EDWARD CHUN and/or CHUN, KERR, DODD, HSC*, NO. 5903
ROBERT HOGAN and/or HOGAN, ROTHER, GRIMES & BYBEE, HSC*, NO. 5971,
JUDGE B.M. VITOUSEK, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, and/or JUDGE NORITO KAWAKAMI, HSC* NO. 6008,
DR. BETTY ADAMS and/or HAWAII'S DEPARTMENT OF HEALTH and/or GERRY NAGAHISA and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT, FIRST CIRCUIT HSC*, NO. 5924,
HAROLD NICKELSEN and/or CONROY, HAMILTON, GIBSON, NICKELSEN, & RUSH, HSC*, NO. 5969,
JAMES KOSHIBA and/or the HAWAII BAR ASSOCIATION, HSC*, NO. 5970,
ROBERT FRANKLIN, HSC*, NO. 5949,
RESPONDENTS.

SUPPLEMENT TO ~~MOTION FOR AMENDMENT OF~~ JOINT PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF THE UNITED STATES.

*HSC—Hawaii Supreme Court

No._____

IN THE SUPREME COURT

OF THE UNITED STATES

OCTOBER TERM 1975

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DR. BETTY ADAMS, ET AL;

RONALD AMEMIYA 694
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IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1975

NO. _____

JANICE CHING YEE, PETITIONER PRO SE,

vs.

ALFRED ALPHONSE YEE and/or ALFRED A. YEE & ASSOCIATES,
STEPHANIE KOKERNAK,
EDWARD Y.C. CHUN and/or CHUN, KERR, & DODD,
ROBERT HOGAN and/or HOGAN, ROTHER, GRIMES & BYBEE,
JUDGE B.M. VITOUSEK and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, AND/OR JUDGE NORITO KAWAKAMI,
DR. BETTY ADAMS and/or HAWAII'S DEPARTMENT OF HEALTH, AND/OR GERRY NAGAHISA and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT, FIRST CIRCUIT,
HAROLD NICKELSEN and/or CONROY, HAMILTON, GIBSON, NICKELSEN, & RUSH,
JAMES KOSHIBA and/or the HAWAII BAR ASSOCIATION,
ROBERT FRANKLIN,
RESPONDENTS.

MOTION TO AMEND
JOINT PETITION FOR WRIT OF CERTIORARI

Petitioner Pro Se hereby Motions to Amend Petitioner's Joint Petition for Writ of Certiorari to "conform to the evidence" of an additional "Twelfth Supplemental Decision" for case HSC* #6102, whereof Petitioner Pro Se hereby Appeals to This Supreme Court of the United States, whereby This Court can review the unconstitutionality of this "Twelfth Supplemental Decision" as additional evidence for Petitioner for

*HSC—HAWAII'S SUPREME COURT
*USSC—UNITED STATES SUPREME COURT

case HSC #6102 according to USSC RULES, Rule 20, wherefor This Supreme Court of America can Direct a New Order and Order Summary Judgment or Judgment on the Pleadings for Petitioner Pro Se for case HSC #6102, whereby all Respondents' cases evolved out of This case.

Also, as our Petitions and/or Denials crossed in the mail, can This Supreme Court of the United States, upon review of the "Joint Petition", reconsider case USSC* #75-1143 as a Supplement, per *USSC RULES, Rule 24(5),* to this "Joint Petition", according to the *FEDERAL RULES OF CIVIL AND/OR APPELLATE PROCEDURE, Chapter 133:28(sec. 2106 or 2111).*

The Jurisdiction for This Supreme Court of the United States to Grant this Writ of Certiorari and/or Appeal, resides on the *FEDERAL RULES OF CIVIL AND/OR APPELLATE PROCEDURE, Rule 15(b)* for Amendments to Conform to the Evidence, *Rule 60(b)(1, 2, 3, 4, & 6)* for Relief of Judgment, *Chapter 133:28(sec. 2101(c)), Chapter 133:28(sec. 2101(e)), Chapter 133:28(sec. 2106);* and/or *Chapter 133:28(sec. 2111); UNITED STATES SUPREME COURT RULES, Rule 20* against Coercion of Non-assertion of Legal Rights in Hawaii's Courts, *Rule 19(1)(a & b), Rule 23(5)* as mentioned and quoted in the "Joint Petition", "IV. STATUTES INVOLVED", page 28 and 29, and/or *Rule 35(2); HAWAII'S SUPREME COURT RULES, Rule 1(a)(1), HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS, EC7-21 and/or EC7-22;* AND/OR *HAWAII'S REVISED STATUTES, Chapter 602-5, Chapter 605-2, Chapter 641-4, and/or 641-24, Chapter 657-20* against Concealment of Malice for Judicial "financial enslavement" and/or Judicial "involuntary servitude".

Mrs. Janice Ching Yee

MRS. JANICE CHING YEE
Petitioner Pro Se
3169 Alika Avenue
Honolulu, Hawaii

Dated, April 12, 1976

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1975

NO. _____

JANICE CHING YEE, PETITIONER PRO SE,

vs.

ALFRED ALPHONSE YEE and/or ALFRED A. YEE & ASSOCIATES,
STEPHANIE KOKERNAK,
EDWARD CHUN and/or CHUN, KERR, & DODD,
ROBERT HOGAN and/or HOGAN, ROTHER, GRIMES, & BYBEE,
JUDGE B.M. VITOUSEK and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, AND/OR JUDGE NORITO KAWAKAMI,
DR. BETTY ADAMS and/or HAWAII'S DEPARTMENT OF HEALTH, AND/OR GERRY NAGAHISA and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT, FIRST CIRCUIT,
HAROLD NICKELSEN and/or CONROY, HAMILTON, GIBSON, NICKELSEN, & RUSH,
JAMES KOSHIBA and/or the HAWAII BAR ASSOCIATION,
ROBERT FRANKLIN,
RESPONDENTS.

MEMORANDUMS OF LAW, ARGUMENTS AND APPENDICES IN SUPPORT OF MOTIONS

Petitioner Pro Se hereby Motions to Amend Petitioner's Joint Petition for Writ of Certiorari, according to *Rule 15(b)* of *the FEDERAL RULES OF CIVIL PROCEDURE,* to Conform to additional Evidence of "Twelfth Supplemental Decision" for case HSC #6102, whereof this "Twelfth Supplemental Decision" is Prejudiced Malicious Abuse of Judicial Process, in Violation of Petitioner Pro Se's AMERICAN CONSTITUTIONAL RIGHTS against Oppression by Judicial "financial enslavement" and/or Judicial "involuntary servitude".

As Petitioner Pro Se, Janice Ching Yee, I really think I am right about this Conspiracy, whereby Judge Betty Vitousek's last Supplemental Decision was more proof Judge Vitousek is a Prejudiced Perpetrator for the Conspiracy for Prejudiced Persecution for Coerced Ignominy by Malicious Defamatory Deprivation of Income and Legal Rights against Coerced Non-assertion of Legal Rights for Petitioner Pro Se for Summary Judgment or Judgment on the Pleadings, according to the *FEDERAL RULES OF CIVIL AND APPELLATE PROCEDURE, Rule 56(a)* or *Rule 12(c),* for Remedy or Restitution against all Respondents including Judge B. M. Vitousek, et al, whose Prejudiced Malice effected and perpetrated Judicial "Oppression" by Judicial "financial enslavement" or "involuntary servitude", which is against the *UNITED STATES CONSTITUTION AND ITS AMENDMENTS* for FREEDOM, hereby appended and included as part of the "Most Pertinent Statutes Involved Appended or Reappended". (#6.)

Might This Court please Grant This Writ of Certiorari and/or Direct a New Order for Remedy and/or Restitution for Petitioner Pro Se against Judge Betty Vitousek as the most vicious Respondent and/or against All Respondents, who were at fault for Malicious traumatic, mental or financial injury of Petitioner Pro Se.

Might This Motion for Amendment to Conform to the Evidence, be included as part and parcel of Petitioner Pro Se's previous "Joint Petition for Writ of Certiorari" against the lower Family Court's Denial (APPENDIX "FF-16") of Appeal by "Motion for Relief of Judgment" (APPENDIX "BB(10)" which was inadvertantly left out of the "Joint Petition") against Judicial "involuntary financial servitude" and its "Motion for Amendment", etc. (APPENDIX "B(10)"), whereof "Notice of Second Amendment of Appeal" and "Designation of Record of Second Amendment of Appeal" has been filed and hereby appended as APPENDIX "I(B)(b)".

In reiteration, for Temporary Relief, can This Supreme Court, as an "Emergency Measure", Order a check for $211,850.00 as pled in the March 22, 1976 "Motion for Relief of Judgment" (APP. "BB(10)") filed in (Family Court) Hawaii's lower Circuit Court, OR the March 23, 1976 "Amendment of Opening Brief", filed for HSC #6102 (APPENDIX "BB(10)(a)" which was inadvertantly left out of the "Joint Petition"), which has been denied by both Hawaii's Family Court (APPENDIX "FF-16") and/or Hawaii's Supreme Court

(APPENDIX "J").

The Most Pertinent of the (IV.) STATUTES INVOLVED for This Amendment are hereby appended and reappended for re-emphasis of Evidence against All Respondents. (MOST PERTINENT STATUTES INVOLVED APPENDED AND REAPPENDED).

Will this Court please further more accept Petitioner's friends' signatures as evidences of faith in the capability of Petitioner Pro Se Janice Ching Yee as a capable American woman.

May This Amendment to Conform to the Evidence also include Conformity of more Evidence against Edward Chun, et al, Respondents as Conspirators, whereby Edward Chun et al's Malice co-instigated and perpetrated the Conspiracy for Prejudiced Judicial Persecution by Malicious Abuse of Judicial Process for humiliation by Defamatory Libelous, and Slanderous Coerced Ignominy by Coerced Incompetency, as the ex-"guardian ad litem" or recent "trustee" or "trust agreement" as an "enslavement" instrument (APP. "F-15"), and Destitution by Judicial "involuntary financial enslavement" by Deprivation of Income and Legal Rights for Petitioner Pro Se, who hereby Appeals to This Supreme Court of the United States to Grant This Motion for Amendment to Conform to the Evidence also as a PETITION FOR REHEARING against Respondents Edward Chun, et al, who conducted a Malicious Defense as Delay for harassment by "enslavement" for mental and financial injury of Petitioner Pro Se.

May The Jurisdiction of This Supreme Court of the United States to GRANT THIS APPEAL by way of Amendment of more Evidence against Respondent Edward Chun, et al, reside on *Rule 60(b)(1, 2, 3, 4, & 6) of the FEDERAL RULES OF CIVIL AND/OR APPELLATE PROCEDURE* for Relief of Judgment, and/or ITS *Chapter 133:28(sec. 2106) Chapter 133: 28(sec. 2111)* as applicable; AND/OR *THE UNITED STATES SUPREME COURT RULES, Rule 19(1)(a & b)* against Judicial "involuntary financial enslavement" as Cruel and Unusual Punishment, which is Malicious Abuse of Judicial Process against the *UNITED STATES CONSTITUTION AND ITS AMENDMENTS.* (MOST PERTINENT STATUTES INVOLVED APPENDED OR REAPPENDED).

CONCLUSION

Petitioner Pro Se hereby prays This Supreme Court of the United States will GRANT PETITIONER PRO SE'S WRIT OF CERTIORARI along with This Amendment to Conform to the Evidence for Summary Judgment, as pled, OR Judgment

on the Pleadings, as pled for Petitioner Pro Se Janice Ching Yee against All Respondents, whose Malice Conspired and/or Colluded for the Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Coerced Ignominy by Defamation, Libel, and Slander and Coerced Destitution by Illegal Deprivation of Income and Legal Rights for Petitioner Pro Se against Coerced Non-assertion of American Constitutional Rights and/or Hawaii's Legal Rights for Petitioner Pro Se, who again thanks This Supreme Court of America for its time.

Mrs. Janice Ching Yee

MRS. JANICE CHING YEE
Petitioner Pro Se
3169 Alika Avenue
Honolulu, Hawaii, 96817

Dated April 12, 1976.

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Honolulu, Hawaii, 96813

STANLEY KANETAKE
Attorney for Respondent:
STEPHANIE KOKERNAK
228 Kuulei Road
Kailua, Hawaii, 96734

NO._____

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1975

JANICE CHING YEE, PETITIONER PRO SE,

vs.

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STEPHANIE KOKERNAK, HSC*, NO. 5943,
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ROBERT HOGAN and/or HOGAN, ROTHER, GRIMES, & BYBEE, HSC*, NO. 5971,
JUDGE B.M. VITOUSEK, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, HSC*, NO. 6008,
DR. BETTY ADAMS and/or HAWAII'S DEPARTMENT OF HEALTH, AND/OR GERRY NAGAHISA and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT, FIRST CIRCUIT, HSC*, NO. 5924,
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JAMES KOSHIBA and/or the HAWAII BAR ASSOCIATION, HSC*, NO. 5970,
ROBERT FRANKLIN, HSC*, NO. 5949,
RESPONDENTS.

AFFIDAVIT OF PETITIONER PRO SE

I am Mrs. Janice Ching Yee of 3169 Alika Avenue, Honolulu, Hawaii, (96817), and being duly sworn and under oath swear and affirm that all of my "unprofessional" LEGAL PLEADINGS, including ALL PLEADINGS, are pled in good faith and/or with good intentions, for I hereby will uphold the CONSTITUTION OF THE UNITED STATES OF AMERICA.

Mrs. Janice Ching Yee

MRS. JANICE CHING YEE
Petitioner Pro Se

Subscribed and sworn this 13th day of April, 1976.
/s/ Anne Osenburg
Notary Public, First Judicial Circuit, State of Hawaii
My Commission Expires: Oct. 15, 1978

CERTIFICATE OF SERVICE

I hereby certify three (3) copies of this Joint Petition for Writ of Certiorari, will be served for this day of March 31, 1976, on:

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Mrs. Janice Ching Yee

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APPENDICES

1ST CIRCUIT COURT
STATE OF HAWAII
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PLAINTIFF PRO SE

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se,	) FC-D NO. 81258
vs.	) MOTION FOR RELIEF OF JUDGEMENT;
ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants.	) MEMORANDUMS OF LAW AND ARGUMENTS IN SUPPORT OF MOTION;) AFFIDAVIT OF PLAINTIFF PRO SE) NOTICE OF MOTION) CERTIFICATE OF SERVICE

MOTION FOR RELIEF OF JUDGEMENT

Plaintiff (Appellant) Pro Se hereby Motions for Relief of Judgement, according to *Rule 60 (b-2, b-4, and/or b-6)* of *HAWAII'S RULES OF CIVIL PROCEDURE*, and being not more than 1 year after the judgement was entered on April 4, 1975, and filed as the Sixth Supplemental Decision for case FC-D #81258.

If necessary, Plaintiff (Appellant) Pro Se hereby can also call on *HAWAII'S REVISED STATUTES, Chapter 657-20* against the Concealment of the Defendants (Appellees') Malice for Conspiracy for Swindle by Judicial "financial enslavement" and/or Judicial "involuntary servitude" against Plaintiff against this Prejudiced Persecution which is a Violation of Legal Rights for Plaintiff for the *UNITED STATES' CONSTITUTION'S Thirteenth and/or Fourteenth and/or even the First Amendment* for Equal Protection by Law against "financial enslavement" and/or "involuntary servitude".

Plaintiff (Appellant) Pro Se hereby Motions also for Relief of Judgement, according to *Rule 26 of HAWAII'S FAMILY COURT RULES*, which applies for DISCOVERY of Malice, which Defendants as Conspirators* perpetrated by Judge B.M. Vitousek's Sixth Supplemental Decision of April 4, 1975, by which the Conspirators* perpetrated Prejudiced Persecution by Malicious Abuse of Judicial Process, as this Sixth Supplemental Decision for Judicial "financial enslavement" and/or Judicial "involuntary servitude" by defamation libel and slander (as the "trustee" order) for Deprivation of Income and Legal Rights for Plaintiff (Appellant) Pro Se.

The Jurisdiction of Hawaii's Family Court to GRANT THIS APPEAL AND/OR MOTION AND ORDER THIS MONEY FOR PLAINTIFF PRO SE FOR FAST MONETARY RELIEF, reside on *HAWAII'S REVISED STATUTES, Chapter 605-2 and/or Chapter 657-20;* AND/OR *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 60(b-2, b-4, and/or b-6);* AND/OR *HAWAII'S FAMILY COURT RULES, Rule 91(a) and/or Rule 26(a) & (b-1)* and/or *Rule 27 (b&c); AND/OR HAWAII'S SUPREME COURT RULES, Rule 16.1* and/or *Rule 16.2 and/or HAWAII'S SUPREME COURT RULES 'CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS' EC7-22 and EC7-21;* AND/OR the *UNITED STATES' CONSTITUTION AND ALL OF ITS AMENDMENTS.*

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

Dated, March 22, 1976

*Alfred A. Yee, et al, HSC+, NO. 6102
Edward Y.C. Chun, et al, HSC, NO. 5903; USSC++, NO. 75-1143

+HSC—HAWAII SUPREME COURT
++USSC—UNITED STATES SUPREME COURT

Robert Hogan, et al, HSC, NO. 5971
Judge Betty M. Vitousek, et al, HSC, NO. 6008
Dr. Betty Adams, et al, &/or Gerry Nagahisa, et al, HSC, NO. 5924
Harold Nickelsen, et al, HSC, NO. 5969
James Koshiba &/or the Hawaii Bar Association, HSC, NO. 5970
Robert Franklin, HSC, NO. 5949
5970
Robert Franklin, HSC, NO. 5949
Stephanie Kokernak, HSC, NO. 5943

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se, vs. ALFRED ALPHONSE YEE and/or ASSOCIATES, Defendants.	)	FC-D. NO. 81258 MEMORANDUMS OF LAW AND ARGUMENTS IN SUPPORT OF MOTION

MEMORANDUMS OF LAW AND ARGUMENTS IN SUPPORT OF MOTION

Plaintiff (Appellant) Pro Se hereby Motions for Relief of Judgement, according to *HAWAII'S RULES OF CIVIL PROCEDURE,*

Rule 60(b):(1) It was impossible to move for a new trial in April, 1975 against Judge B.M. Vitousek's Conflict, which was Malice for Conspiracy, which made Judge B.M. Vitousek Malfeasant as a Conspirator* who committed Swindle or Reversed Usury by Judicial "financial enslavement", by Illegal Forced Lending without charging interest, Malicious Abuse of Judicial Process, as the April 4, 1975 Sixth Supplemental Decision for case FC-D No. 81258, for Prejudiced Persecution for Deprivation of Income and Legal Rights for Plaintiff (Appellant) Pro Se against Judge Betty M. Vitousek, who "refused to consider any Motions" by Plaintiff (Appellant) Pro Se.

(4) Judge B.M. Vitousek's Malfeasant Prejudice VOIDS her Supplemental Decisions for Judicial "involuntary servitude" or Judicial "financial enslavement", according to *page 966-970 of CRIMINAL LAW by Donnelly, Goldstein, & Schwartz; for "People vs. Winters"*, as discussed in the Opening Brief of this case in Hawaii's Supreme Court No. 6102, whereof Defendants (Appellees) Alfred Alphonse Yee, et al, does owe Plaintiff Janice Ching Yee the sum of $105,000.00 for repayment of a loan from the ex-couple's joint bank account, of which $3,150.00 was

*page 2 of "Motion".

paid from July, 1975 until March, 1976, which leaves a total of $101,850.00 for Plaintiff Pro Se. Can this Court also add the figure of $110,000.00 of Promissory Note "B" per the Eleventh Supplemental Decision dated February 2, 1976 and Appealed Feb. 23, 1976 "Nunc Pro Tunc," Feb. 3, (Feb. 2 was wrong, excuse inadvertence) 1976; Appealed again March 2, 1976, Opening Brief for this case No. 6102 in Hawaii's Supreme Court, whereby Plaintiff (Appellant) Pro Se Janice Ching Yee didn't agree to the conditions of these "Notes" and whereof Plaintiff (Appellant) Pro Se does not need Bishop Trust as a middleman imposing on poor defenseless women alone who can manage finances as women alone, and who cannot afford to lose the extra money as expenses to any type of non-active middleman, incurring costs for extra paper work, not necessary for Plaintiff (Appellant) Pro Se for this additional $110,000.00 to make $211,850.00 as a true debt which Alfred Alphonse Yee, et al, does owe Plaintiff Janice C. Yee and can't be voided. Therefore, can the Family Court Order a Money Order for Plaintiff-(Appellant) Pro Se, who, hereby Demands this sum for same Plaintiff for Fast Financial Relief, whereby Defendants Alfred Alphonse Yee et al, can borrow this total amount and pay the monthly note on "Note B" and/or pay the $350.00 of "Note A"s' monthly payment to the Loan Department of any bank for Plaintiff (Appellant) Pro Se, who once loaned this amount to Alfred A. Yee et al, who used it, made a loss or a profit, and whereby Plaintiff never got any interest for the use of Plaintiff (Appellant) Pro Se's money or any part of the profit. Then to make matters worse, Judge B.M. Vitousek's Prejudice, as according to *page 978 of BALLENTINE'S LAW DICTIONARY,* for *"Hodgins vs. State" or "Haslam vs. Morrison"* for "Prejudice of Judge," made Judge B.M. Vitousek order another loan to Alfred Alphonse Yee, et al, again as a Swindler or Fleecer as Conspirators*, not paying interest for the use of Plaintiff Pro Se's money, for Plaintiff Pro Se needs my money for my own use, and cannot afford to borrow money at 10% interest to lend Alfred Alphonse Yee et al, for the use of my money without charging interest. This is Illegal Violation of Plaintiff (Appellant) Pro Se's Legal Rights for FREEDOM to use same Plaintiff (Appellant)'s money as I see right for me,

Janice Ching Yee as Plaintiff (Appellant) Pro Se against Alfred Alphonse Yee et al, and/or Judge B.M. Vitousek's Illegal Malfeasant Conflict for Swindle and Judicial "financial enslavement" of a good capable American woman as same Plaintiff Pro Se Janice Ching Yee, who once never complained about anything.

(6) PLAINTIFF (APPELLANT) PRO SE DOES NEED THE MONEY FOR SAME PLAINTIFF'S USE AND CANNOT AFFORD TO PAY 10% INTEREST FOR A LOAN AFTER ALL IF PLAINTIFF (APPELLANT) PRO SE JANICE CHING YEE HAS MONEY I CAN USE, FOR SAME PLAINTIFF PRO SE NEVER WAS A SPENDTHRIFT.

In CONCLUSION, can Hawaii's Family Court GRANT THIS MOTION AND/OR APPEAL AND ORDER A MONEY ORDER FOR THE SUM OF $211,850.00 FOR PLAINTIFF (APPELLANT) PRO SE FOR FAST TEMPORARY RELIEF, as has been requested AND/OR GRANT AND ORDER SUMMARY JUDGEMENT AS JUDGEMENT ON THE PLEADINGS FOR COMPLETE SETTLEMENT AS EQUITABLE SETTLEMENT FOR $3 MILLION FOR PLAINTIFF (APPELLANT) PRO SE JANICE CHING YEE FOR CUSTODY OF THE CHILDREN TO SAME PLAINTIFF PRO SE, WHO CAN TEACH THE CHILDREN HONESTY, as has been pled and demanded and should be granted, according to *AMENDMENT SIX* of the *UNITED STATES CONSTITUTION,* for a fast trial as part of the REASON FOR PLAINTIFF (APPELLANT) PRO SE'S SUIT AGAINST ALFRED A. YEE, DEFENDANTS (APPELLEES)'S deliberate Delay for Malicious Injury of Plaintiff (Appellant) Pro Se against coerced destruction by coerced ignominy by coerced destitution by coerced incompetency.

Plaintiff (Appellant) Pro Se hereby thanks the Family Court of Hawaii for its time; and may it hereby be noted, *if* any member of Hawaii's Family Court didn't involve themselves as Conspirators* or Contributory Conspirators* in the case Civil No. 45123 or Hawaii's Supreme Court case No. 6008, whereby also *if* any of the Supreme Court's clerks didn't involve themselves as Contributory Conspirators*, they can exonerate themselves by signing affidavits and swearing under oath that they were not involved in the Conspiracy against Plaintiff Pro Se.

*page 2 of "Motion".

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant)
Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

Dated March 22, 1976.

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se,	)	FC-D No. 81258
	)	NOTICE OF MOTION
vs.	)	
	)	
ALFRED ALPHONSE YEE and/or ALFRED A. YEE & ASSOCIATES Defendants.	)	

NOTICE OF MOTION

TO: EDWARD Y.C. CHUN
CHUN, KERR, & DODD
Suite 1408, 700 Bishop St.
Honolulu, Hawaii 96813
for:
ALFRED ALPHONSE YEE, ET AL
Attorneys and DEFENDANTS

Please take NOTICE that the following Motion for Relief of Judgement will be set for Hearing in the Courtroom of the Honorable Judge Betty M. Vitousek at 2:00 p.m. on March 25, 1976, or as soon thereafter as counsel or complainant can be heard.

Dated at Honolulu, Hawaii, this 22nd day of March, 1976.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants.	FC-D NO. 81258 AFFIDAVIT OF PLAINTIFF (APPELLANT) PRO SE

AFFIDAVIT OF PLAINTIFF (APPELLANT) PRO SE

I am Mrs. Janice Ching Yee, Plaintiff (Appellant) Pro Se, of 3169 Alika Avenue of Honolulu, Hawaii (96817), and being duly sworn and under oath, swear, and affirm that all of my "unprofessional" Legal Pleadings are pled in good faith and/or with good intentions for a fast determination of this case, or all cases for Plaintiff (Appellant) Pro Se.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

Subscribed and sworn
this 22nd day of March, 1976.
/s/ Anne Osenburg
Anne Osenburg
Notary Public, First Judicial
Circuit, State of Hawaii
My commission expires:
Oct. 15, 1978

CERTIFICATE OF SERVICE

I hereby certify a copy of this "MOTION FOR RELIEF OF JUDGEMENT" will be served on Attorneys Edward Y.C. Chun, et al, for Defendants (Appellees) Alfred Alphonse Yee, et al, at the office of Chun, Kerr, & Dodd, #1408, 700 Bishop Street, Honolulu, Hawaii 96813, for this 22nd day of March, 1976.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

APPENDIX "BB(10)"

NO. 6102
IN THE SUPREME COURT OF THE STATE OF HAWAII
OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	)	FC-D No. 81258 APPEAL AGAINST THE UNEQUITABLE TERMS OF THE FINAL ABSOLUTE DIVORCE DECREE FOR SETTLEMENT AND CHILD CUSTODY FIRST CIRCUIT COURT FAMILY COURT Honorable Betty M. Vitousek Judge

MOTION TO AMEND OPENING BRIEF
MEMORANDUMS, ARGUMENTS,
AND APPENDICES IN SUPPORT
AFFIDAVIT OF PLAINTIFF APPELLANT PRO SE

I hereby certify one copy of this
Motion will be served on:
EDWARD Y.C. CHUN, ET AL, Attorneys
for: ALFRED ALPHONSE YEE, ET AL,
Defendants-Appellees
at: 1408 Amfac Building
700 Bishop Street
Honolulu, Hawaii 96813

this day of March 23, 1976.
/s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

FILED
1976 MAR 23 AM 10:25
Clement J.H. Chun
CLERK SUPREME COURT

APPENDIX "BB(10)(a)"

NO. 6102
IN THE SUPREME COURT OF THE STATE OF HAWAII
OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	)	FC-D No. 81258 APPEAL AGAINST THE UNEQUITABLE TERMS OF THE FINAL ABSOLUTE DIVORCE DECREE FOR SETTLEMENT AND CHILD CUSTODY FIRST CIRCUIT COURT FAMILY COURT Honorable Betty M. Vitousek Judge

MOTION TO AMEND OPENING BRIEF

Plaintiff-Appellant Pro Se hereby Motions to Amend Opening Brief, filed March 2, 1976, according to *Rule 15 of HAWAII'S RULES OF CIVIL PROCEDURE and/or FEDERAL RULES of CIVIL PROCEDURE* to include the filed "MOTION FOR RELIEF OF JUDGEMENT" of March 22, 1976 (APPENDIX "A") and its "AMENDMENT, etc." of March 22, 1976 (APPENDIX "B") for case FC-D No. 81258, in the lower Family Court, to conform to the evidence for Merits for Pleadings for Complete Financial Settlement for $3 million for Plaintiff-Appellant Pro Se Janice Ching Yee and for custody of the children to same Appellant Pro Se.

The Jurisdiction of Hawaii's Supreme Court to GRANT THIS APPEAL AND/OR MOTION AND ORDER JUDGEMENT ON THE PLEADINGS FOR PLAINTIFF APPELLANT PRO SE JANICE CHING YEE FOR MERITS FOR MONETARY CLAIMS, AS PLED, FOR COMPLAINTS AND PLEADINGS, reside on *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 73 and/or Rule 15 HAWAII'S REVISED STATUTES, Chapter 605-2, Chapter 602-5, Chapter 641-4 and/or 641-24, and/or Chapter 657-20; HAWAII'S SUPREME COURT RULES, Rule 16.1 and 16.2, and/or HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RE-*

SPONSIBILITY'S ETHICAL CONSIDERATIONS' EC7-22 and/or EC7-21; AND/OR THE UNITED STATES CONSTITUTION AND ALL OF ITS AMENDMENTS.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817
Telephone: 595-3426

Dated March 23, 1976.

NO. 6102
IN THE SUPREME COURT OF THE STATE OF HAWAII
OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	)	FC-D No. 81258 MEMORANDUMS, ARGUMENTS, AND APPENDICES IN SUPPORT OF MOTION

MEMORANDUMS OF LAW, ARGUMENTS, AND APPENDICES IN SUPPORT OF MOTION

Plaintiff-Appellant Pro Se hereby Motions to Amend Appellant's Opening Brief, filed March 2, 1976, according to *Rule 15 of HAWAII'S RULES OF CIVIL PROCEDURE* and/or *FEDERAL RULES OF CIVIL PROCEDURE*, to include the filed "MOTION FOR RELIEF OF JUDGEMENT" (APPENDIX "A") and its "AMENDMENT" (APPENDIX "B") filed March 22, 1976 for case FC-D 81258, as further Memorandums of Law and Arguments to confirm and/or conform to the evidence for Merits for Monetary Claims for Complaints and Pleadings for Complete Financial Settlement for $3 million for Plaintiff-Appellant Pro Se Janice Ching Yee for Custody of the Children (for the Record) to same Appellant Pro Se.

Plaintiff-Appellant hereby thanks Hawaii's Supreme Court if it will GRANT THIS APPEAL AND ORDER JUDGEMENT ON THE PLEADINGS OR SUMMARY JUDGEMENT FOR SAME APPELLANT PRO SE FOR RESTITUTION AS WELL AS COMPLETE SETTLEMENT AS EQUITABLE SETTLEMENT, according to *Rule 12(c) and/or Rule 56(a) of HAWAII'S RULES OF CIVIL PROCEDURE, confirmed by HAWAII'S REVISED STATUTES, Chapter 641-4 and/or 641-24* for initiative and prerogative for Hawaii's Supreme Court Justices to GRANT THIS APPEAL FOR FAST DETERMINATION OR CONCLUSION for this case on Appeal as Hawaii's Supreme Court case HSC, NO. 6102, whereby

it was case HSC, NO. 5930, whereby it was case FC-D No. 81258, which should have had a Final Judgement or Decree already decided.

May *Chapter 657-20 of HAWAII'S REVISED STATUTES* also apply for Extension of Time against Defendants-Appellees, Alfred Alphonse Yee, et al's Concealment of Malice for Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Defamatory Coercion for Ignominy by Deprivation of Income and Legal Rights for Plaintiff-Appellant Pro Se Janice Ching Yee for *HAWAII'S SUPREME COURT RULES, Rule 16.1* and/or Rule 16.2, which should not restrain or deny a capable American woman as Plaintiff-Appellant Pro Se Janice Ching Yee who never committed adultery, crime or deliberate sin after all for Merits of Legal (unprofessional) Pleadings for Monetary Claims for Restitution and/or for faster Completion for Complete Settlement for $3 million for Final Absolute Divorce.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817
Telephone: 595-3426

Dated, March 23, 1976.

NO. 6102
IN THE SUPREME COURT OF THE STATE OF HAWAII
OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES Defendants-Appellees.	)	FC-D NO. 81258 APPEAL AGAINST THE UNEQUITABLE TERMS OF THE FINAL ABSOLUTE DIVORCE DECREE FOR SETTLEMENT AND CHILD CUSTODY FIRST CIRCUIT COURT FAMILY COURT Honorable Betty M. Vitousek Judge

AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE

I am Mrs. Janice Ching Yee, Plaintiff-Appellant Pro Se, of 3169 Alika Avenue of Honolulu, Hawaii (96817), and being duly sworn and under oath, swear, and affirm that all of my "unprofessional" Legal Pleadings are pled in good faith and/or with good intentions for a fast determination of this case, and/or all cases.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Subscribed and sworn
this 19th day of March, 1976.
/s/ Sidney Kan
Notary Public, First Judicial
Circuit, State of Hawaii
My commission expires:
May 31, 1976.

HEREBY WERE APPENDED "MOTION FOR RELIEF OF JUDGEMENT", filed March 22, 1976, (APP. "BB(10)") and "AMENDMENT OF MOTION FOR RELIEF OF JUDGEMENT", filed March 22, 1976, (APP. "B(10)") both used as Exhibits for this "MOTION TO AMEND OPENING BRIEF", etc., filed March 23, 1976. (APP. "BB(10)(a)")

APPENDIX "BB(10)(a)"

PETITION
IN SUPPORT OF PLAINTIFF'S COMPLAINT

I am against Judge Betty Vitousek's "guardian ad litem" and/or "trustee" decisions for Mrs. Janice Ching Yee.

This is to confirm that Mrs. Janice Ching Yee has always been competant and able to think of her own free will and has never been harmful to anybody.

She has always spoken with competance or in a normal manner.

**SIGNED:

1. D. E. Sutter
2. Martha Nieves
3. [illegible]
4. [illegible]
5. [illegible]
6. Maxine Lee
7. Jane Chinn Kau
8. [illegible]
9. Sau Lin C. Ching
10. [illegible]
11. Mrs B. Hopper
12. [illegible]
13. N Zane
14. [illegible]
15. A. C. Ting
16. Virginia W. Kodl
17. [illegible]
18. Faith Ishii
19. Hazel Yee
20. [illegible]
21. [illegible]
22. [illegible]
23. [illegible]
24. [illegible]
25. [illegible]
26. Betty Lou Ritch
27. [illegible] (E. Mayers)
28. Velma Neale Clark
29. Marjorie C. Mee

**For Aug. 4, 1975 "Additional Argument in Support of Complaint", etc., for Civil No. 45123 (Vitousek, et al)
(HSC #6008)

(APPENDIX "YEA")

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. BETTY VITOUSEK, Judge, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, Defendants.	)	CIVIL NO. 45123 AFFIDAVIT OF PLAINTIFF

AFFIDAVIT OF PLAINTIFF

I am Mrs. Janice Ching Yee, of 3169 Alika Avenue, Honolulu, Hawaii, (96817), being duly sworn and under oath, swear and affirm that the following petition and signatures were not obtained by duress.

All of the signatures are true and signed with good intentions.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee, Plaintiff

Subscribed and sworn to before me
this 4th day of August, 1975.

/s/ Sidney Kan
Notary Public, First Judicial
Circuit, State of Hawaii

My commission expires: May 31, 1976

1ST CIRCUIT COURT
STATE OF HAWAII
FILED
1976 APR 7 PM 4:31
S. IKEDA
CLERK

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE YEE, Plaintiff, vs. ALFRED A. YEE, Defendant.	)	FC-D No. 81258 TWELFTH SUPPLEMENTAL DECISION AND ORDER

TWELFTH SUPPLEMENTAL DECISION AND ORDER

On March 22, 1976 Plaintiff, pro se, filed a Motion for Relief of Judgement seeking relief from prior decisions of this Court and in particular the Sixth Supplemental Decision entered on April 4, 1975. She bases the timeliness of her Motion primarily on H.R.C.P. Rule 60 (b)(2), (b)(4), and/or (b)(6) and alleges as her basis for the Court's jurisdiction the following:

"The Jurisdiction of Hawaii's Family Court to GRANT THIS APPEAL AND/OR MOTION AND ORDER THIS MONEY FOR PLAINTIFF PRO SE FOR FAST MONETARY RELIEF, reside on *HAWAII'S REVISED STATUTES, Chapter 605-2 and/or Chapter 657-20;* AND/OR *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 60 (b-2, b-4, and/or b-6);* AND/OR *HAWAII'S FAMILY*

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

/s/ S. Ikeda
S. Ikeda
Clerk, Circuit Court, First Circuit
State of Hawaii

APPENDIX "FF(16)"

COURT RULES, Rule 91(a) and/or Rule 26(a) & (b-1) and/or *Rule 27(b&c); AND/OR HAWAII'S SUPREME COURT RULES, Rule 16.1* and/or *Rule 16.2 and/or HAWAII'S SUPREME COURT RULES 'CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS' EC7-22 and EC7-21;* AND/OR the *UNITED STATES' CONSTITUTION AND ALL OF ITS AMENDMENTS."*

The Court has examined all the specific references therein and finds no authority for this action other than that contained in Hawaii Rules of Civil Procedure, Rule 60(b). The Court finds that, as stated by Plaintiff in her "Amendment of Motion for Relief of Judgment," also filed on March 22, 1976, this case "has been argued so many times from the initial action for divorce:...." (since it was initiated on September 16, 1971 through the Sixth Supplemental Decision entered on April 4, 1975 to the Eleventh Supplemental Decision and Order entered on February 2, 1976), that the Court is fully apprised of the facts and circumstances in respect to the parties, their children and their property. The court is also aware that the matter is on appeal to the Supreme Court of the State of Hawaii in S.C. No. 6102.

Upon further review of the Sixth and Eleventh Supplemental Decisions referred to and certain of the other Decisions herein and of other documents filed with the Court or submitted in evidence herein, the Court finds that the necessities and equities of the parties and their children have been considered and dealt with by this Judge to the best of her ability and understanding of all the facts, and in good faith and without malice or partiality, and that no further amendment of said prior decisions and orders as proposed by Plaintiff in her pleadings will be allowed or ordered. It is the further finding of the Court that no constructive purpose will be served by any further or future reconsideration by this Court of any matters herein which have already been considered and re-considered and decided.

It is the order of the Court that Plaintiff's Motion for Relief of Judgement filed on March 22, 1976 be denied.

DATED: Honolulu, Hawaii, April 7, 1976.

/s/ Betty M. Vitousek
Betty M. Vitousek
JUDGE OF THE ABOVE ENTITLED COURT

APPENDIX "FF(16)"

1ST CIRCUIT COURT
STATE OF HAWAII
FILED
1976 APR 9 PM 12:56
R.S. Yamada
CLERK

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii 96817
Telephone: 595-3426

PLAINTIFF FOR PLAINTIFF PRO SE

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se,	) FC-D No. 81258
vs.	) NOTICE OF SECOND AMENDMENT OF APPEAL;
ALFRED ALPHONSE YEE, and/or ALFRED A. YEE, & ASSOCIATES, Defendants.	) DESIGNATION OF RECORD FOR SECOND AMENDMENT OF APPEAL; AFFIDAVIT OF PLAINTIFF (REAFFIRMATION) CERTIFICATE OF SERVICE

NOTICE OF SECOND AMENDMENT OF APPEAL

NOTICE IS HEREBY GIVEN for a Second Amendment of Appeal, according to *Rule 15(b)* to conform to its evidence whereby its time the complete case FC-D No. 81258, including all Supplemental Decisions and/or various Orders should be appealed to Hawaii's Supreme Court whereof the lower Family Court's Twelfth Supplemental Decision was filed April 7, 1976 at 4:31 p.m.

NOTICE IS HEREBY GIVEN for this Second Amendment of Appeal, according to *Rule 15(b) of HAWAII'S RULES OF*

APPENDIX "I(B)(b)"

CIVIL PROCEDURE, to include Appeal against all Supplemental Decisions or Orders which are Prejudiced Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff (Appellant) Pro Se.

The Jurisdiction for this Second Amendment of Appeal resides on *FAMILY COURT RULES, Rule 91(a); HAWAII'S RULES OF CIVIL PROCEDURE, Rule 73, Rule 15(b),* and/or *Rule 60(b)(1,2,3,4, and/or 6); HAWAII'S REVISED STATUTES, Chapter 605-2, Chapter 602-5, Chapter 641-4 and/or 641-24, and/or Chapter 657-1* or *657-20* for extension of the Statutes of Limitations against Malice for Conspiracy for Coerced Ignominy by Deprivation of Income and Legal Rights against Defamation, Libel, and Slander; *HAWAII'S SUPREME COURT RULES, Rule 16.1 and/or 16.2,* AND/OR *HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS, EC7-21 and/or EC7-22.*

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

Dated April 9, 1976.

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii 96817
Telephone: 595-3426

PLAINTIFF PRO SE FOR PLAINTIFF

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE CHING YEE, YEE,) Plaintiff Pro Se,) vs.) ALFRED ALPHONSE YEE,) and/or) ALFRED A. YEE & ASSOCIATES,) Defendants.)	FC-D No. 81258 DESIGNATION OF RECORD FOR THIS SECOND AMENDMENT OF APPEAL

DESIGNATION OF RECORD
FOR THIS SECOND AMENDMENT OF APPEAL

Plaintiff (Appellant) Pro Se hereby DESIGNATES AS THE RECORD ON APPEAL, the COMPLETE RECORD of all Transcripts and File of Proceedings in FC-D No. 81258, and ALL RECORDS for the previous Appeal for this case, recorded as case HSC #5930, to be included.

The Jurisdiction for this Second Amendment of Appeal resides on *FAMILY COURT RULES, Rule 91(a); HAWAII'S RULES OF CIVIL PROCEDURE, Rule 73, Rule 15(b), and/or Rule 60(b) (1,2,3,4, and/or 6); HAWAII'S REVISED STATUTES, Chapter 605-2, Chapter 602-5, Chapter 641-4 and/or 641-24, And/Or Chapter 657-1 or 657-20 for extension; HAWAII'S SUPREME COURT RULES, CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS, EC7-21 and/or EC7-22.*

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

Dated April 9, 1976.

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii 96817
Telephone: 595-3426

PLAINTIFF PRO SE FOR PLAINTIFF

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se,	)	FC-D No. 81258
vs.	)	AFFIDAVIT OF PLAINTIFF
ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants.	)	

AFFIDAVIT OF PLAINTIFF (APPELLANT) PRO SE

I am Mrs. Janice Ching Yee, Plaintiff (Appellant) Pro Se, of 3169 Alika Avenue of Honolulu, Hawaii (96817), and being duly sworn and under oath, swear, and affirm that all of my "unprofessional" Legal Pleadings are pled in good faith and/or with good intentions, for a fast determination of this case.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

Subscribed and sworn to before me
this 23rd day of February, 1976.
/s/ Anne Osenburg
Anne Osenburg
Notary Public, First Judicial
Circuit, State of Hawaii
My commission expires:
October 15, 1978.

CERTIFICATE OF SERVICE

I hereby certify a copy of this Notice of Second Amendment of Appeal; Designation of Record for Second Amendment of Appeal, and Affidavit (Reaffirmed), was served on:
Attorney Edward Chun, et al, for:
Defendants (Appellees) Alfred Alphonse Yee et al,

at: CHUN, KERR, & DODD
14th Floor, Amfac Building
700 Bishop Street
Honolulu, Hawaii 96813

this 9th day of April, 1976, for case FC-D No. 81258.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

APPENDIX "I(B)(b)"

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	MOTION TO AMEND OPENING BRIEF

ORDER

FILED

1976 MAR 31 PM 3:26

/s/ Clement J.H. Chun

CLERK SUPREME COURT

APPENDIX "J" of "Joint Petition"
(Reappended)

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	MOTION TO AMEND OPENING BRIEF

ORDER

Appellant's Motion to Amend Opening Brief, filed on March 23, 1976, is hereby denied without argument.

DATED: Honolulu, Hawaii, March 31, 1976.

BY THE COURT:

/s/ William S. Richardson
Chief Justice

SEAL

APPENDIX "J" of "Joint Petition"
(Reappended)

MOST PERTINENT STATUTES INVOLVED APPENDED OR REAPPENDED

1. *THE UNITED STATES SUPREME COURT RULES:*

1) *Rule 20,* whereof "a writ of certiorari to review a case pending in a court of appeals, before judgment is given in such court, will be granted only upon a showing that the case is of such imperative public importance as to justify the deviation from normal appellate processes and to require immediate settlement in this court."

2) *Rule 19(1) (a & b),* whereof "1. A review on writ of certiorari is not a matter of right, but of sound judicial discretion, and will be granted only where there are special and important reasons therefor. The following, while neither controlling nor fully measuring the court's discretion, indicate the character of reasons which will be considered:

(a) Where a state court has decided a federal question of substance not theretofore determined by this court, or has decided it in a way probably not in accord with applicable decisions of this court.

(b) Where a court of appeals has rendered a decision in conflict with the decisions of another court of appeals on the same matter; or has decided an important state" "question in a way in conflict with applicable state" "law; or has decided an important question of federal law which has not been, but should be, settled by this court; or has decided a federal question in a way in conflict with applicable decisions of this court; or has so far departed from the accepted and usual course of judicial proceedings, or so far sanctioned such a departure by a lower court, as to call for an exercise of this court's power of supervision."

3) *Rule 22 (1) & (3)* whereby *Federal Rules of Civil and Appellate Procedure,* chapter 133:28:2101(c) is applicable or *Rule 22(1)*: "A petition for writ of certiorari to review the judgment of a state court of last resort in a criminal case shall be deemed in time when it is filed with the clerk within ninety days after the entry of such judgment.

4) *Rule 23* in its entirety, whereof specifically:

"5. Where several cases are sought to be reviewed on certiorari to the same court that involve identical or closely related questions, it shall suffice to file a single petition for writ of certiorari covering all the cases."

2. *HAWAII'S SUPREME COURT RULES:*

1) *Rule 1 (a) (1):*

"(a) Applicability of Other Court Rules; Definitions.

(1) The Hawaii Rules of Civil Procedure, the Hawaii Rules of Criminal Procedure, the District Court Rules of Civil Procedure and the District Court Rules of Penal Procedure are hereby adopted as a part of these rules whenever applicable."

2) *Rule 2(d): "Consolidation.* When cases involving a common question of law or fact are pending before the court, it may order a joint argument and make other orders concerning proceedings to avoid any unnecessary costs or delay."

3) *Rule 6(b):*

"6. MOTIONS. (not reappended)

4) *Rule 16. #16.1 and #16.2:* (not reappended)

"RULE 16. DISCIPLINARY RULES.

A. *"THE CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS:*

1) EC2-27: "Regardless of his personal feelings, a lawyer should not decline representations because a client or a cause is unpopular or community reaction is adverse."

2) "EC2-28: The personal preference of a lawyer to avoid adversary alignment against judges, other lawyers, public officials, or influential members of the community does not justify his rejection of tendered employment."

3) "EC2-30: Employment should not be accepted by a lawyer when he is unable to render competent service or when he knows or it is obvious that the person seeking to employ him desires to institute or maintain an action merely for the purpose of harassing or maliciously injuring another."

4) "EC7-21: The civil adjudicative process is primarily designed for the settlement of disputes between parties, while the criminal process is designed for the protection of society as a whole. Threatening to use, or using, the

criminal process to coerce adjustment of private civil claims or controversies is a subversion of that process; further, the person against whom the criminal process is so misused may be deterred from asserting his legal rights and thus the usefulness of the civil process in settling private disputes is impaired. As in all cases of abuse of judicial process, the improper use of criminal process tends to diminish public confidence in our legal system."

5) "EC7-22: Respect for judicial rulings is essential to the proper administration of justice; however, a litigant or his lawyer may, in good faith and within the framework of the law, take steps to test the correctness of a ruling of a tribunal."

3. HAWAII'S REVISED STATUTES

1) Chapter 551:

a) 26
b) 27
c) 30
d) 31
e) 34, as included in the "Joint Petition" and discussed.

Chapter

2) *"602-5* *Jurisdiction and powers.* The Supreme Court shall have appellate jurisdiction to hear and determine all questions of law, or of mixed law and fact, which are properly brought before it on exceptions, error, or appeal duly perfected from any other court, judge, magistrate, or tribunal, according to law or by reservation of any circuit court or judge; and original jurisdiction in all questions arising under writs of error, certiorari, mandamus, prohibition, and injunction directed to circuit courts, or to circuit judges, or to magistrates, or other judicial tribunals and returnable before the supreme court."

Chapter

3) *"605-2* *Attorneys; license required."* A person may also appear "in person before any court, or justice, and there prosecuting" "his own cause, without the aid of legal counsel."

Chapter

4) *"622-19* *Transcripts of judicial records.* A transcript of any of the records and judicial proceedings of any court of record or of any judge of a court of record at chambers, shall be admitted in evidence upon being authenticated by the attestation of the clerk of the court with the seal of the court annexed, or of the judge before whom the proceedings were had, with the seal aforesaid."

Chapter

5) *"641-4* *Procedure on appeal, supreme court; new evidence.* In case of appeal to the supreme court from a decision, judgement, order, or decree of a circuit judge in chambers, the supreme court shall have the power to review, reverse, affirm, amend, modify, or remand for new hearing, in chambers, such decision, judgment, order, or decree in whole or in part, and as to any or all of the parties. Every such appeal shall be taken on the record and no new evidence shall be introduced in the appellate court; provided that the appellate court may, in case evidence is offered which is clearly newly discovered evidence and material to the just decision of the appeal, admit the same."

Chapter

6) *"641-24* *Judgment;"* "The supreme court may affirm, reverse, or modify the order, judgment, or sentence of the trial court. It may enter such order, judgment, or sentence, or may remand the case to the trial court for the entry of the same or for such other or further proceedings, as in its opinion the facts and law warrant. It may correct any error appearing on the record."+ "order, judgment, or sentence shall be reversed or modified if the court is of the opinion that error was committed which injuriously affected the substantial rights of the Plaintiff."+

+AMEN.

Chapter

7) *"657-20* *Extension by fraudulent concealment.* If any person who is liable to any of the actions mentioned in this part, fraudulently conceals the cause of such action from the knowledge of the person entitled thereto, the action may be commenced at any time within six years after the person who is entitled to bring the same discovers that he has such cause of action, and not afterwards."

Chapter

8) *634-26* Joinder of Causes of Action, as included in the "Joint Petition" and discussed.

Chapter

9) *711:*
a) 21
b) 22
c) 23, as included in the "Joint Petition and discussed.

Chapter

10) *728-1* *"Conspiracy defined.* If two or more persons conspire:
1) To commit any offense;
2) To instigate or incite another or others commit any offense;
3) To bring or maintain any suit proceeding knowing the same to be groundless; or
4) To cause another or others to be arrested, charged, or indicted for an offense, knowing them to be innocent thereof: each shall be guilty of conspiracy. (PC 1869, c 28, +1; am L 1892, c 102, +1; RL 1925, +4331; RL 1935, +5720; RL 1945, +11120; am L SP 1949, c 10, +1; RL 1955, +268-1)

Chapter

11) *728-2:* "Joining in after formation. Any person knowingly acceding to and joining in a conspiracy after the" same "is formed, is a party thereto, no less than the one who originally takes part in forming the same."

Chapter

12) *728-3 and 728-4:* *"Act in pursuance of, unnecessary.* It is not requisite that the act agreed upon should be done or attempted in pursuance of the conspiracy; the conspiracy itself constitutes the offense."
"Act of any is that of all. The act of each party to a conspiracy, in pursuance thereof; is the act of all."

4. *HAWAII'S RULES OF CIVIL PROCEDURE OR THE FEDERAL RULES OF CIVIL PROCEDURE:*

1) *"Rule 12(c): Motion for Judgment on the Pleadings.* After the pleadings are closed but within such time as not to delay the trial, any party may move for judgment on the pleadings. If, on a motion for judgment on the pleadings, matters outside the pleadings are presented to and not excluded by the court, the motion shall be treated as one for summary judgment and disposed of as provided in Rule 56, and all parties shall be given reasonable opportunity to present all material made pertinent to such a motion by Rule 56."

2) *"Rule 56. SUMMARY JUDGEMENT*
(a) *For Claimant.* A party seeking to recover upon a claim, may, at any time of the expiration of 20 days from the commencement of the action or after service of a motion for summary judgment by the adverse party, move with or without supporting affidavits for a summary judgment in his favor upon all or any part thereof."

3) *"Rule 59. NEW TRIALS; AMENDMENT OF JUDGMENTS.*
(d) *On Initiative of Court.* Not later than 10 days after entry of judgment the court of its own initiative may order a new trial for any reason for which it might have granted a new trial on motion of a party."

4) *"Rule 73. APPEAL TO SUPREME COURT."*
("Statutes Appended for Joint Petition")

5. *FEDERAL RULES OF CIVIL OR APPELLATE PROCEDURE:*

1) *Chapter 133:28 (sec. 2101(c))* "Any other appeal or writ of certiorari intended to bring any judgment or decree in a civil action, suit or proceeding before the

Supreme Court for review shall be taken or applied for within ninety days after the entry of such judgment or decree."

2) *Chapter 133:28 (sec. 2101(e)* "An application to the Supreme Court for a writ of certiorari to review a case before judgment has been rendered in the court of appeals may be made at any time before judgment."

3) *Chapter 133:28(sec. 2106): Determination.* "The Supreme Court or any other court of appellate jurisdiction may" "reverse any judgment, decree, or order of a court lawfully brought before it for review, and may" "direct the entry of such appropriate judgment, decree, or order," "as may be just under the circumstances."

4) *Chapter 133:28(sec. 2111) Harmless Error.* "On the hearing of any appeal or writ of certiorari in any case, the court shall give judgment after an examination of the record without regard to errors or defects which do not affect the substantial rights of the parties. Added May 24, 1949, c. 139, +110, 63 Stat. 105."

4. UNITED STATES CONSTITUTION++

A. AMENDMENTS:

1) *FIRST AMENDMENT:*
"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

2) *FOURTH AMENDMENT:*
"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

3) *SIXTH AMENDMENT:*
"In all criminal prosecutions, the accused (what about aggrieved?) shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation (against Plaintiff against "false arrest" restraintive "guardian ad litem"); to be confronted with the witnesses against him; to have compulsory process for obtaining witness in his favor, and to have the assistance of counsel for his defense (what about prosecution as aggrieved party?)

4) *EIGHTH AMENDMENT:*
"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

5) *THIRTEENTH AMENDMENT:*
"Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.
Section 2. Congress shall have power to enforce this article by legislation."

6) *FOURTEENTH AMENDMENT:*
"*Section 1.* All persons born (or naturalized) in the United States, and subject to the Jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; *nor shall*

++*WORLD BOOK ENCYCLOPEDIA(vol.#19) 1971, page 141 to 145.*
++*ENCYCLOPEDIA BRITANNICA(vol.#3) 1967, page 618 to 619.*
++*ENCYCLOPEDIA BRITANNICA(vol.#6) 1967, page 401 to 407.*

any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

"Section 2, 3, 4, also, not specified and appended.

Section 5. "The Congress shall have power to enforce by appropriate legislation, the provisions of this article."

7) *NINETEENTH AMENDMENT:*

"Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex."

7. (TREATISE) LAW OF TORTS by William Prosser, (3rd Edition), 1964, page 869:

"There may be recovery of other damages, designated as "special", if there is specific pleading and proof. The Plaintiff may recover compensation for any arrest or imprisonment, *88* including damages for discomfort or injury to his health, *89* or loss of time *90* and deprivation of the society of his family. *91* He may recover any reasonable expenses to which he has been put in defending the prosecution and establishing his innocence *92* including attorney's fees in the criminal proceeding, *93* although such fees in the action for Malicious Prosecution itself are normally not recoverable. *94* In addition, he may recover for any specific financial loss such as the loss of present *95* or prospective *96* employment, which can be proved with reasonable certainty to have been caused *97* by the prosecution, provided that it is regarded as a foreseeable, or normal, consequence of the criminal proceeding." *98*

"Because of the intentional and outrageous nature of the tort"—or "false arrest" "guardian ad litem" or "trustee" order(s)—

"malicious" ILLEGAL FALSE "prosecution is peculiarly adapted to the award of punitive damages, and it is agreed generally that the jury may award them when they find personal ill will or oppressive conduct in the "ILLEGAL FALSE "prosecution". *1*

[88] Rich vs. Rogers, 1925, 250 Mass. 587, 146 N.E. 246, 37 A.L.R. 656 Wilson vs. Bowers 1887, 64 Mich. 133,31 N.W.

[89] Stoecker v. Nathamson, 1904, 5 Neb. U of. 435 98 N.W. 1061

[90] Hefer v. Hamburg Quarry Co. 1921, 208 Mo. App. 55, 233 S.W. 275

[91] Walling v. Fields 1923, 209 Ala 389, 96 So. 471

[92] Seidler v. Burns 1912 86 Conn. 249, 85 A. 369

[93] Benderach v. Grujicich 1925, 30, N.M. 331, 233

[94] Benderach v. Grujicich

[95] H.S. Leyman Co. v. Short, 1926, 214 Ky. 272, 283 S.W. 96.

[96] Stoecker v. Nathanson

[97] Cf. Baer v. Chambers 1912, 67 Wash 357, 121 P. 843

[98] Cf. Hanson v. Rhodes-Burford Furn. Co. 1923, 227 Ill. App. 471

[1] Western Union Tel. Co. v. Thomason, 4 Cir. 1918, 215 F. 833